

Application No.: 10/628,971

Attorney Docket No.: BRONNP00300

### REMARKS

Claims 1-20 are pending in the present application.

#### **Rejections under Double Patenting**

Claims 1 and 15-20 are rejected under the judicially created doctrine of double patenting over claim 1 of U.S. Patent No. 6,599,311 and claim 1 of U.S. Patent 6,174,323 since the claims, if allowed, would improperly extend the "right to exclude" already granted.

Claims 2-14 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-42 of U.S. Patent No. 6,599,311.

In response to the above rejections, applicant submits a terminal disclaimer herewith.

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**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,



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